

JUN 24 1999

**Texas Grace Communications**  
**P.O. Box 398**  
**Wichita Falls, TX 76307**  
**(914) 352-9087**

June 21, 1999

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 12th St. SW  
Room TW-B204  
Washington, D.C. 20554

**Re: Submission by  
Texas Grace Communications  
of two (2) separate pleadings  
in Allocations Proceeding on  
proposed service at Tipton, OK,  
RM-9423, MM Docket 99-23**

Dear Ms. Salas,

Please find enclosed two (2) separate pleadings from Texas Grace Communications for immediate direction to the Allocations Branch proceeding, RM-9423, under MM Docket No. 99-23, on the matter of proposed aural service at Tipton, Oklahoma.

The attached (2) separate pleadings are titled:

***"Amendment To Pending KRZB Facility Form 301 Application And Corrective  
Amendment To Essential Supplemental Comments Of Texas Grace Communications"***  
*and*

***"Motion For Acceptance By FCC Of Amendment To Pending KRZB Facility Form  
301 Application And Corrective Amendment To Essential Supplemental Comments Of Texas  
Grace Communications"***

Please note that these two (2) separate pleadings are each accompanied by four copies, in addition to the signed originals.

Feel free to contact the undersigned, or legal counsel of record John Trent, at (703) 437-8400, if there are any questions regarding this submission. The Secretary's courtesy in processing these pleadings is gratefully appreciated.

Sincerely,



Dave Garey  
Proprietor, Texas Grace Communications

Enclosures: 2 Original Separate Pleadings, plus 4 copies of each.

No. of Copies rec'd  
List ABCDE

04

JUN 24 1999

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. 99-23
Table of Allotments	)	
FM Broadcast Stations	)	RM - 9423
(Tipton, Oklahoma)	)	

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**AMENDMENT TO PENDING**  
**KRZB FACILITY FORM 301 APPLICATION**  
**AND**  
**CORRECTIVE AMENDMENT**  
**TO ESSENTIAL SUPPLEMENTAL COMMENTS**  
**OF TEXAS GRACE COMMUNICATIONS**

Pursuant to Section 1.415 of the Commission's Rules, Texas Grace Communications ("Texas Grace") hereby respectfully submits the following *Amendment To Pending KRZB Facility Form 301 Application And Corrective Amendment To Essential Supplemental Comments Of Texas Grace Communications*. In support thereof, Texas Grace states as follows:

**1. SUMMARY**

The vital decisional significance of the Essential Supplemental Comments (dated May 24, 1999, and file-stamped as received by the Commission on May 26, 1999) to the above-captioned proceeding has already been explained and supported by evidentiary exhibits. A printing mistake in one particular section of the Essential Supplemental Comments pleading, wherein Texas Grace inadvertently referred to proposed "Channel 249C2" at Tipton, OK as "Channel 248C2", will be corrected here.

As also explained and supported by engineering statement in the Essential Supplemental Comments, Texas Grace has good cause to make amendment to its pending 301 Application (BMPH-990217 IB) for KRZB/Archer City, Texas. Since this 301 Application is a counterproposal within this proceeding, such amendment is similarly of vital decisional significance to the Commission's judicious processing of spectrum.

**2. AMENDMENT TO PENDING KRZB FACILITY FORM 301 APPLICATION.**

Due to recent discovery by Texas Grace's engineer Lee Wheeler that the tower coordinates of KRZB's pending facility application site (under BMPH-990217 IB, as timely counterproposed within this proceeding) were apparently mis-registered with the Commission by the structure's owner, good cause exists to make amendment to KRZB's Form 301 Application.

Because the coordinate discrepancy cannot be promptly resolved by Texas Grace alone, and, since this discrepancy was beyond the control of Texas Grace, application is made through the amended 301 filing for an alternate facility site for KRZB, in which engineer Wheeler has certified the accuracy of the tower coordinates. Signal coverage in excess of 70 dBu to Archer City from the new facility site is further certified by Wheeler. Minimum spacing requirements are now also met with respect to the Channel 249C3 allocation (Docket 98-75) at Healdton, OK.

With elimination of the short-spacing posed by the obstructive Channel 249C2 drop-in at Tipton (the origination of which has already been demonstrated to be characteristic of a sham filing, marked by apparent deception, identity concealment and abuse of government processes), KRZB will be able to operate from its amended facilities site as a maximum Class C2 facility on Channel 248.

The Amended 301 Application is attached hereto for review by the Allocations Chief.

**3. CORRECTIVE AMENDMENT TO ESSENTIAL SUPPLEMENTAL COMMENTS OF TEXAS GRACE COMMUNICATIONS.**

In Section 15 (pages 18-19) of its Essential Supplemental Comments (dated May 24, 1999, and file-stamped as received by the Commission on May 26, 1999), Texas Grace did not catch a printing error in which the drop-in channel at Tipton was inadvertently referred to as "Channel 248" in this section, as opposed to "Channel 249". The Commission is asked to please note this correction.

The substance of Section 15 otherwise remains the same. Clearly demonstrated is the fact that, at the time the petition for the Tipton allocation was made, the petitioner could easily have selected the direct allocation then available on Channel 275C2, involving absolutely no channel substitutions, and a less cumbersome site restriction. For any party whose genuine motive was to build a Tipton facility, Channel 275C2 would have been the obvious, superior choice.

While absolutely no benefit to a future Tipton service was gleaned by the circuitous usage of Channel 249C2, such channel selection does appear to serve clear motive by the petitioner (identified by the Postal Inspector to be a business name from the personal post office box of Paul Reynolds) to "box in" and impede the service potential of KRZB on Channel 248C2, particularly with respect to reception over Wichita County, Texas. Such foul play would be consistent with the demonstrated effort of Reynolds' group to coerce Texas Grace to relinquish its broadcast service on Channel 248, which would then allow a co-channel interest of Reynolds to expand within the lucrative Dallas-Fort Worth metro. Texas Grace notes that even the preparation date of the Tipton petition is glaringly suspect in its apparent obstructionist intent...just one day before the effective date of the Report and Order (MM Docket 97-225, DA 98-2002) instructing Texas Grace to file a 301 Form specifying KRZB's new community of license and facilities site.

Section 15 is therefore crucial to showing the obstructionist nature of the Tipton petition, and that the actions and motivation of the petitioner appear clearly intended to harm KRZB. Correction of the noted channel misprint in this crucial Section is necessary to ensure accuracy in this proceeding, and to assist the Commission in its judicious review of the matter.

Respectfully Submitted,

Texas Grace Communications

By: *Dave Garey*

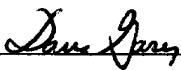
Dave Garey, Proprietor

June 21, 1999

### **CERTIFICATION**

I, Dave Garey, proprietor of Texas Grace Communications, and permittee of KRZB (FM) licensed to Archer City, Texas, do hereby verify that the statements contained in the instant document are true and correct to the best of my knowledge and belief. John Trent remains legal counsel of record for Texas Grace Communications within this proceeding, and it is therefore respectfully requested that he be simultaneously served by the Commission or other interested parties with all relevant procedural documents. However, the filing herein is made directly by Texas Grace's proprietor.

Respectfully Submitted By:  
Texas Grace Communications

  
\_\_\_\_\_  
Dave Garey, Proprietor

June 21, 1999

Dave Garey  
Texas Grace Communications  
20 Samlaw Drive  
Monsey, NY 10952

cc:

John Trent  
Putbrese, Hunsaker & Trent  
100 Carpenter Drive, Suite 100  
Sterling, VA 20167

(703) 437-8400

## CERTIFICATE OF SERVICE

I, Dave Garey, do hereby certify that I have, on June 21, 1999, sent by First Class U.S. Mail, postage prepaid, the forgoing *Amendment To Pending KRZB Facility Form 301 Application And Corrective Amendment To Essential Supplemental Comments Of Texas Grace Communications* to the following:

Ms. Leslie K. Shapiro  
Allocations Branch  
Federal Communications Commission  
445 12th St., SW  
Room 3-A 360  
Washington, DC 20554

WBAP/KSCS Operating, Ltd. and Blue Bonnet Radio, Inc./Mark N. Lipp  
Shook, Hardy & Bacon, LLP  
600 14th Street, NW, Suite 800  
Washington, DC 20005

Paul Reynolds  
415 North College Street  
Greenville, AL 36037

Ellinor Nelson  
Good Government Radio  
P.O. Box 478  
Gonzalez, FL 32560

John Trent, Esq.  
Putbrese Hunsaker & Trent  
100 Carpenter Drive, Suite 100  
Sterling, VA 20167

  
\_\_\_\_\_  
Dave Garey

FOR  
FCC  
USE  
ONLY

**FCC 301**  
**APPLICATION FOR CONSTRUCTION**  
**PERMIT**  
**FOR COMMERCIAL BROADCAST STATION**

FOR COMMISSION USE ONLY  
FILE NO.

Section I - GENERAL INFORMATION

1. APPLICANT NAME (Last, First, Middle Initial) Texas Grace Communications										
MAILING ADDRESS (Line 1) (Maximum 35 characters) P.O. Box 398										
MAILING ADDRESS (Line 2) (Maximum 35 characters)										
CITY Wichita Falls		STATE OR COUNTRY (if foreign address) TX	ZIP CODE 76307							
TELEPHONE NUMBER (include area code) (914) 352-9087		CALL LETTERS KRZB (FM)	OTHER FCC IDENTIFIER (IF APPLICABLE)							
2. A. Is a fee submitted with this application? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>										
B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1113) and go to Question 3. <input type="checkbox"/> Governmental Entity <input type="checkbox"/> Noncommercial educational licensee <input checked="" type="checkbox"/> Other (Please explain): This is an Amendment to pending application.										
C. If Yes, provide the following information:										
Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).										
(A)	(B)	(C)								
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1) <table border="1" style="display: inline-table; width: 100px; height: 30px;"><tr><td style="width: 33px;"></td><td style="width: 33px;"></td><td style="width: 33px;"></td></tr></table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"><tr><td style="width: 25px;"></td><td style="width: 25px;"></td><td style="width: 25px;"></td><td style="width: 25px;"></td></tr></table>					\$ <table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>	<table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>
To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.										
(A)	(B)	(C)								
(2) <table border="1" style="display: inline-table; width: 100px; height: 30px;"><tr><td style="width: 33px;"></td><td style="width: 33px;"></td><td style="width: 33px;"></td></tr></table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"><tr><td style="width: 25px;"></td><td style="width: 25px;"></td><td style="width: 25px;"></td><td style="width: 25px;"></td></tr></table>					\$ <table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>	<table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.		TOTAL AMOUNT REMITTED WITH THIS APPLICATION	FOR FCC USE ONLY							
		\$ <table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>	<table border="1" style="display: inline-table; width: 150px; height: 30px;"></table>							

**Section I - GENERAL INFORMATION (Page 2)**

3. This application is for: (check one box)

☐ AM

☒ FM

☐ TV

(b) Channel No. or Frequency 248C2
---------------------------------------

(b) Principal Community	City	State
	Archer City	TX

(c) Check one of the following boxes:

☐ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit; call sign: \_\_\_\_\_

☐ MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit; call sign: \_\_\_\_\_

☒ AMENDMENT to pending application: Application File Number: \_\_\_\_\_ BMPH-990217IB

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application?

N/A

☐ Yes

☐ No

If Yes, state:

Call letters	Community of License	
	City	State



## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more full-time employees? N/A

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC Form 396-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☐ Yes ☐ No  
N/A
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? ☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of person contacted: Nathan Brown

Telephone No. (include area code): (940) 322-2092

Person contacted: (check one box below:

☐ Owner

☒ Owner's Agent

☐ Other (specify)

4. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached Exhibits are considered material representations, and that all Exhibits are a material part hereof and incorporated herein.

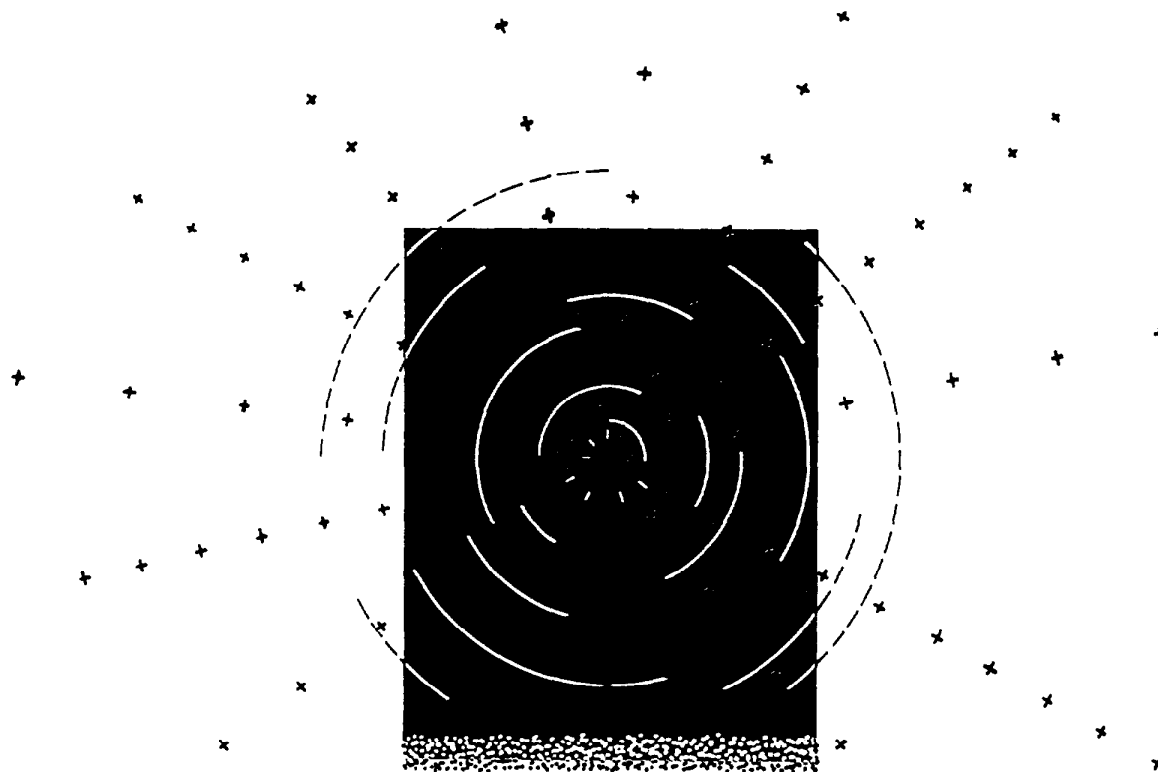
The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name Texas Grace Communications	Signature <i>Dave Garey</i>
Title Proprietor	Date 6/21/99
Typed or Printed Name of Person Signing Dave Garey	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).



WHEELER  
**BROADCAST**  
CONSULTING

***Texas Grace Communications***  
***KRZB (FM)***

FORM 301

Application For:

An Amendment to a Pending Application

BMPH-990217 IB

Change in Antenna Location  
Change in Power  
Change in Supporting Structure Height  
Change in City of License

Channel 248C2  
Archer City, TX

June - 1999



# WHEELER **BROADCAST** CONSULTING

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<b>Exhibit 3</b>	<b>Statement Concerning 47 CFR 73.3535.</b>
<b>Exhibit 4</b>	<b>Statement Concerning Short Spacing.</b>
<b>Exhibit 5</b>	<b>Statement Concerning Interference.</b>
<b>Exhibit 6</b>	<b>Full Scale Reproduction of the Holliday, TX, USGS, 7½', Topographic Quadrangle Marking the Proposed Site.</b>
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<b>Exhibit 8</b>	<b>Analysis of Non Ionizing RF Radiation.</b>
<b>Exhibit 9</b>	<b>Channel 248 C2 Spacing Study.</b>

6025 MARTWAY  
SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287

## SECTION V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

SSB Referral Date \_\_\_\_\_

Referred By \_\_\_\_\_

Name of Applicant Texas Grace Communications

Call Letters (if issued)

KRZB

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

NA

Purpose of Application: (check appropriate boxes)

☐

Construct a new (main) facility

☐

Construct a new auxiliary facility

☒

Modify existing construction permit for main facility

☐

Modify existing construction permit for auxiliary facility

☐

Modify licensed main facility

☐

Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☒

Antenna supporting structure height

☐

Effective radiated power

☒

Antenna height above average terrain

☐

Frequency

☒

Antenna location

☐

Class

☐

Main Studio location

☐

One-Step processing

☐

Directional Antenna

☒Other(summarize) City of LicenseFile Number(s) BPH-960201 MB Amends BMPH-990217 IB

## 1. Allocation:

Channel No.	Principal community to be served:		
	County	City or Town	State
248	Archer	Archer City	TX

Class (check only one box below)

☐ A ☐ B1 ☐ B ☐ C3☒ C2 ☐ C1 ☐ C

## 2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. 0.68 km N.W. of the US 82 and State 258 intersection. 6.6 km N.E. of Holliday, in Wichita County, TX at 41°.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude and East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed. (The Commission requires coordinates based on NAD 27.)

Latitude	33 °	51 '	40 "	Longitude	98 °	38 '	52 "
----------	------	------	------	-----------	------	------	------

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ NoIf Yes, give call letter(s) or file number(s) or both. NAIf proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. NA

**Section V-B - FM BROADCAST ENGINEERING DATA (Page 2)**

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	°	'	"	Longitude	°	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
1

Date June 8, 1999

Office where filed Southwest Region

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	Tom Danaher	7.9 km	118°
(b)			

7. (a) Elevation (to the nearest meter)

(1) of site above mean sea level; 317.6 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 147.2 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)]. 464.8 meters

- (b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground; 137.6 meters (H)

137.6 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)]; and 455.2 meters (H)

455.2 meters (V)

(3) above average terrain. 150.0 meters (H)

150.0 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labeling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
2

9. Effective Radiated Power:

(a) ERP in the horizontal plane 50.0 kw (H\*) 50.0 kw (V\*)

Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevation plot of radiated field.

Exhibit No.  
NA

NA kw (H\*) NA kw (V\*)

\*Polarization

**Section V-B - FM BROADCAST ENGINEERING DATA (Page 3)**

10. Does this proposal modify a new unbuilt construction permit for an unbuilt, unlicensed facility?

☒ Yes ☐ No

If Yes, submit an Exhibit demonstrating compliance with 47 C.F.R. Section 73.3535 that includes a certification that construction will commence immediately upon grant of the construction permit application.

Exhibit No.  
3

11. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s), and tabulations of the relative field.

Exhibit No.  
NA

12. Will the proposed facility satisfy the requirements of 47 C.F.R. Section 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
NA

13. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
NA

14. Is this application being filed as a One-step proposal pursuant to the Report & Order in MM Docket 92-159, 8 FCC 2d 4735 (released July 13, 1993)?

☐ Yes ☒ No

If Yes, list the proposed allotment site coordinates to the nearest second below and attach an Exhibit demonstrating that the proposed allotment site is in compliance with the allotment standards. The Exhibit must contain: (1) an allotment site map that complies with the requirements of the April 5, 1985, Public Notice, Mimeo 3693, or a statement that the allotment site will be located on an existing tower; (2) a city coverage map, showing the allotment site is in compliance with 47 C.F.R. Section 73.315; (3) a showing demonstrating that the allotment site meets the minimum distance separation requirements of 47 C.F.R. Section 73.207; and (4) a statement that the proposed allotment site is suitable for tower construction.

Exhibit No.  
NA

The coordinates for the proposed allotment site are: NA

Latitude	°	'	"	Longitude	°	'	"
----------	---	---	---	-----------	---	---	---

15. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

- (b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☒ No

- (c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
NA

- (d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
4

- (e) Is authorization pursuant to 47 C.F.R. Section 73.215 requested?

☐ Yes ☒ No

If the answer to (e) is Yes, attach as an Exhibit a complete engineering study demonstrating compliance with the minimum spacing requirements of 47 C.F.R. Section 73.215(e) and lack of prohibited overlap with the affected stations. The engineering study must include the following:

Exhibit No.  
NA

Section V-B - FM BROADCAST ENGINEERING DATA (Page 4)

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the Exhibit(s).

16. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band and amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (Sec 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
5

17. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
6

18. Attach as an Exhibit (name the source) a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:  
Digitally Generated vis USGS & NGDC Files.

Exhibit No.  
7

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 3.16 mV/m and 1 mV/m predicted contours; and
- (c) the legal boundaries of the principal community to be served.

19. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 8547.4 sq. km.

Population 143,031 persons (1990 US Census)

20. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
NA

- (a) the proposed auxiliary 1 mV/m contour; and
- (b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

**Section V-B - FM BROADCAST ENGINEERING DATA (Page 5)**

21. Terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.313)

Source of terrain data: (check only one box below)

☒

Linearly interpolated 30-second database

☐

7.5 minute topographic map

(Source: NGDC)

☐

Linearly interpolated 3-second database

☐

Other (summarize)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 3.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
*176°	152.3	32.9	52.5
0	151.3	32.8	52.4
45	160.1	33.7	53.5
90	153.8	33.0	52.7
135	154.3	33.1	52.8
180	151.6	32.8	52.4
225	136.6	31.1	50.4
270	144.3	32.0	51.4
315	148.1	32.4	51.9

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

22. Environmental Statement. (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding identified health and safety guidelines issued by the American National Standards Institute?

☐

Yes

☒

No

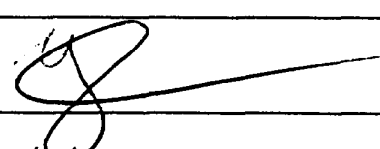
If you answer Yes, submit as an Exhibit an Environmental Assessment required by 47 C.F.R. Section 1.1311.

Exhibit No.  
NA

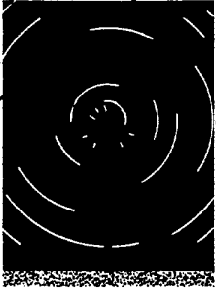
If No, explain briefly why not. Excluded from environmental processing under 1.1306. See Exhibit 8 for RF Radiation analysis.

**CERTIFICATION**

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) R. Lee Wheeler	Relationship to Applicant (e.g., Consulting Engineer) Technical Consultant
Signature 	Address (include ZIP Code) 6025 Martway Suite 112 Mission, KS 66202
Date 6/9/1999	Telephone No. (include Area Code) (913) 362-7282





# WHEELER BROADCAST CONSULTING

## ***Engineering Statement***

This consultant has been retained by Texas Grace Communications (Texas Grace) for the purpose of preparing the necessary technical portion of an amendment to its pending application (BMPH-990217 IB) in Archer City, Texas. KRZB was ordered to a new city of license in the Report and Order in RM-9173, Docket 97-225, and this application specifies a new transmitter site in accordance with that order.

### **Purpose of Amendment**

Subsequent to the filing of BMPH-990217 IB it was discovered that the coordinates of the tower structure, as registered by the tower owner, appeared to be in error. Inasmuch as the coordinate discrepancy cannot be promptly resolved by Texas Grace alone and involves several other parties, the applicant chose to locate an alternate site in which the accuracy of the site location can be certified. The error in the site coordinates specified in the original modification application was beyond the control of Texas Grace and, as such, this amendment is being submitted for good cause.

### **Proposed KRZB Operation**

The proposed tower site is ideal for FM broadcasting. As set forth in 47 CFR 73.315 (a), the proposed facility provides all of Archer City, TX with a predicted signal level in excess of the prescribed 70 dBu minimum while the site itself is located in a sparsely populated rural area so as to minimize the effects of blanketing interference. The site is further located such that it maximizes 60 dBu service to the urban population within the area to be served in accordance with 47 CFR 73.315(c).

The KRZB operation proposed under this amendment, in contrast with the original modification application, meets the minimum spacing requirements of 47 CFR 73.207 with respect to the Channel 249 C3 allocation (Docket 98-75) at Healdton, OK.

6025 MARTWAY  
SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287

The amended operation thus does not seek special processing under the provisions of 47 CFR 73.215 as originally requested<sup>1</sup>. Exhibit 9 of this report is a spacing study drawn from the Commission's June 8, 1999 FM database.

The proposed tower structure has passed a preliminary review by the Southwest Regional Offices of the FAA and Form 7460-1 has been formally filed based on that review. A copy of that application is included in this report as Exhibit 1. Immediately upon grant of the FAA application Texas Grace will file Form 854-R in application for a tower registration number. A vertical plane sketch, labeling all appropriate heights and elevations surrounding the proposed antenna structure is included in this report as Exhibit 2.

Since this application seeks to modify an unbuilt construction permit a statement concerning 47 CFR 73.3535 is included in this report as Exhibit 3. Exhibit 5 is a statement concerning interference which includes an acceptance of responsibility to remedy any interference created as a result of the construction of the facilities in accordance with 47 CFR 73.318 of the Rules.

Exhibit 6 is a copy of the Holliday, TX topographic quadrangle which precisely locates the proposed transmitter site. The original map is included with the original of this application and full scale reproductions of the relevant portion of the map are included with the associated copies.

Exhibit 7 is a digitally generated map that depicts the predicted service contours for the proposed operation which shows that the entire corporate boundaries of Archer City, TX are illuminated with a predicted signal in excess of 70 dBu.

All topographic information used in this report was generated by linearly interpolating the NGDC 30 second terrain database on 360 equally spaced radials and all contour information was generated via a computer model that mirrors the Commission's models. The 60 dBu contour was digitally overlaid onto digital models of minor civil subdivision maps and 1990 population figures were extracted from the model.

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<sup>1</sup> The Channel 249 C2 allocation in Tipton, Oklahoma specified in RM-9423, Docket 99-23 continues to short space Texas Grace Communications' facility site. The application to which this amendment applies (BMPH-990217 IB) was originally filed prior to the close of the comment period for RM-9423.

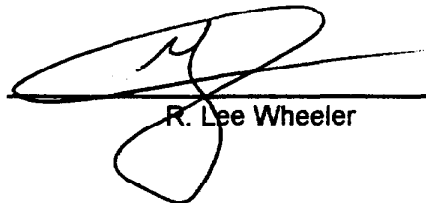
The population counting algorithm is based on the block centroid retrieval methodology and extracts its census data from the PL-94-171 data files which reference the 1990 U.S. Census.



The proposed construction is excluded from environmental processing under 47 CFR 1.1306 of the Rules and an analysis of Non Ionizing RF Radiation levels has been conducted and is included as Exhibit 8 of this report.

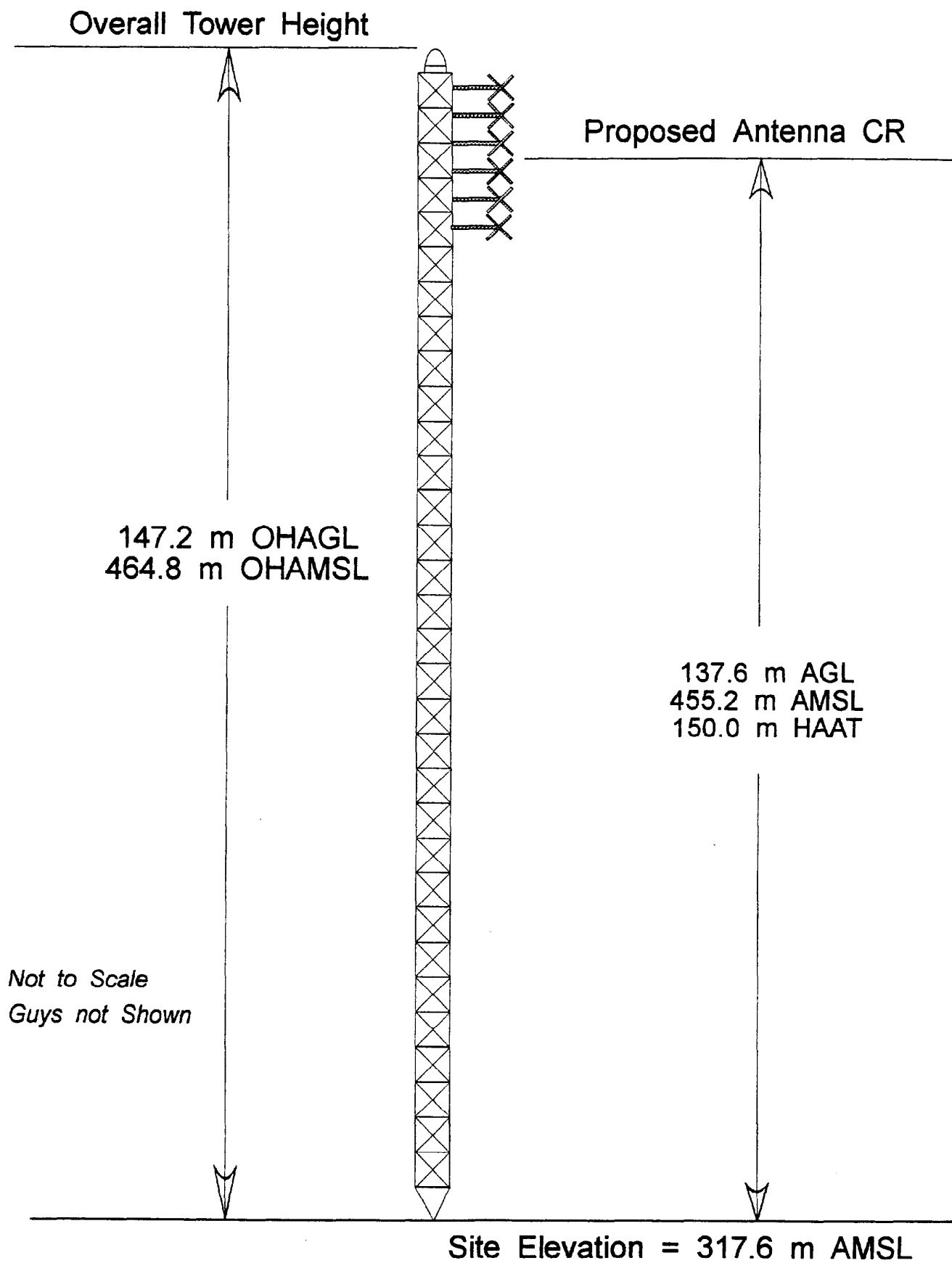
**Certification**

All information contained in this report is true and accurate to the best of my belief. Having had numerous matter before the Commission, my qualifications are a matter of record.

6/8/99  
Date

  
R. Lee Wheeler

 <b>U.S. Department of Transportation</b> <b>Federal Aviation Administration</b>		<b>Notice of Proposed Construction or Alteration</b> <i>Failure To Provide All Requested Information May Delay Processing Of Your Notice</i>		Aeronautical Study Number					
<b>1. Nature of Proposal</b> <table style="width:100%;"> <tr> <td style="width:33%;"> <b>A. Type</b>  <input checked="" type="checkbox"/> New Construction  <input type="checkbox"/> Alteration *         </td> <td style="width:33%;"> <b>B. Class</b>  <input checked="" type="checkbox"/> Permanent  <input type="checkbox"/> Temporary (Duration ___ months)         </td> <td style="width:33%;"> <b>C. Work Schedule Dates</b>          Beginning <u>On FCC Grant</u>          End <u>90 Days After</u> </td> </tr> </table>			<b>A. Type</b> <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration *	<b>B. Class</b> <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration ___ months)	<b>C. Work Schedule Dates</b> Beginning <u>On FCC Grant</u> End <u>90 Days After</u>	<b>2. Complete Description of Structure</b> Please describe the proposed construction or alteration. A. For proposals involving transmitting stations, include effective radiated power (ERP) and assigned frequency. If not known, give frequency band and maximum ERP. B. For proposals involving overhead wire, transmission lines, etc., include the size and the configuration of the wires and their supporting structures. C. For buildings, include site orientation, dimensions, and construction materials. D. Optional - Describe the type of obstruction marking and lighting system desired. The FAA will consider this in their study.			
<b>A. Type</b> <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration *	<b>B. Class</b> <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration ___ months)	<b>C. Work Schedule Dates</b> Beginning <u>On FCC Grant</u> End <u>90 Days After</u>							
* If Alteration, provide previous FAA Aeronautical Study Number, if Available: <u>99-ASW-1190 OE</u> <b>3A. Name, address, and telephone number of individual, company corporation, etc. proposing the construction or alteration.</b> (Number, Street, City, State, and Zip Code) Dave Garey Texas Grace Communications 20 Samlaw Drive Monsey, NY 10952 (914) <u>352-9087</u> Area Code Telephone Number			97.5 MHz 50 kW H&V  Guyed Steel Tower  Prefer red lights and paint						
<b>3B. Name, address, and telephone number of proponent's representative, if different than 3A. above.</b> R. Lee Wheeler Wheeler Broadcast Consulting 6025 Martway Suite 112 Mission, KS 66202 (913) <u>362-7282</u> Area Code Telephone Number									
<b>4. Location Of Structure</b> <table style="width:100%;"> <tr> <td style="width:30%;"> <b>A. Coordinates</b> (to hundredths of seconds, if known)          Latitude 33° 51' 40. " N          Longitude 98° 38' 52. " W       </td> <td style="width:20%;"> <b>B. Nearest City or Town and State</b>          Holliday, TX       </td> <td style="width:20%;"> <b>C. Nearest public, military airport, heliport, flightpark, or seaplane base</b>          Tom Danaher       </td> <td style="width:30%;"> <b>5. Height and Elevation</b> (to nearest foot)          A. Elevation of ground above mean sea level. 1042 ft          B. Height of structure including all appurtenances and lighting above ground or water 483 ft          C. Overall height above mean sea level 1525 ft       </td> </tr> </table>				<b>A. Coordinates</b> (to hundredths of seconds, if known) Latitude 33° 51' 40. " N Longitude 98° 38' 52. " W	<b>B. Nearest City or Town and State</b> Holliday, TX	<b>C. Nearest public, military airport, heliport, flightpark, or seaplane base</b> Tom Danaher	<b>5. Height and Elevation</b> (to nearest foot) A. Elevation of ground above mean sea level. 1042 ft B. Height of structure including all appurtenances and lighting above ground or water 483 ft C. Overall height above mean sea level 1525 ft	4D. Source for item 4A data. <input checked="" type="checkbox"/> USGS 7.5' Quad Chart <input type="checkbox"/> Survey <input type="checkbox"/> Other Specify Indicate the reference datum. <input checked="" type="checkbox"/> NAD 27 <input type="checkbox"/> NAD 83 <input type="checkbox"/> Other Specify 4E. Description of site location with respect to highways, street, airports, prominent terrain, features, existing structures, etc. Please attach a U.S. Geological Survey Map (or equivalent) showing the construction site. If available, attach a copy of a documented site survey with the surveyor's certification. 0.4 miles N.W. of the US 82 and State Route 258 Intersection, Near Holliday, TX.	
<b>A. Coordinates</b> (to hundredths of seconds, if known) Latitude 33° 51' 40. " N Longitude 98° 38' 52. " W	<b>B. Nearest City or Town and State</b> Holliday, TX	<b>C. Nearest public, military airport, heliport, flightpark, or seaplane base</b> Tom Danaher	<b>5. Height and Elevation</b> (to nearest foot) A. Elevation of ground above mean sea level. 1042 ft B. Height of structure including all appurtenances and lighting above ground or water 483 ft C. Overall height above mean sea level 1525 ft						
Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1501). Persons who knowingly and willfully violate the Notice requirements of Part 77 are subject to a civil penalty of \$1,000 per day until the notice is received, pursuant to Section 901(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1471 (a)) as well as the fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1472(a)).									
I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards as necessary.									
Date <u>6/8/99</u>		Typed or Printed Name and Title of Person Filing Notice R. Lee Wheeler		Signature 					
FOR FAA USE ONLY									
The Proposed Construction or Alteration is:									
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# WHEELER BROADCAST CONSULTING

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*Exhibit 3*

## ***Compliance with 47 CFR 73.3535***

This amendment applies to a modification application which seeks authority to modify the facilities specified in construction permit BPH-960201 MB which was initially granted on October 7, 1996.

Subsequent to the grant of BPH-960201 MB the permittee sought and received a reassignment of City of License from Olney, TX to Archer City, TX through RM-9173 (Docket 97-225). The Report and Order of Docket 97-225, granting the change in City of License for KRZB, was adopted on September 23, 1998, released on October 2, 1998, and became effective on November 17, 1998; beyond the first 9 months of the initial term of BPH-960201 MB.

Construction of the proposed facility will commence immediately upon grant of this application.

6025 MARTWAY  
SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287



# WHEELER BROADCAST CONSULTING

*Exhibit 4*

## ***Statement Concerning Short Spacing***

This amendment alters a modification application, BMPH-990217 IB, which was filed prior to the close of the comment period in RM-9423<sup>1</sup>. RM-9423 seeks the allocation of Channel 249 C2 at Tipton, OK and short spaces the proposed KRZB operation. No other facilities or allotments pose short spacing conflicts with the amended KRZB facility site specified herein.

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SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287

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<sup>1</sup> The comment period in RM-9423 closed on March 15, 1999, after the filing of BMPH-990217 IB.



# WHEELER **BROADCAST** CONSULTING

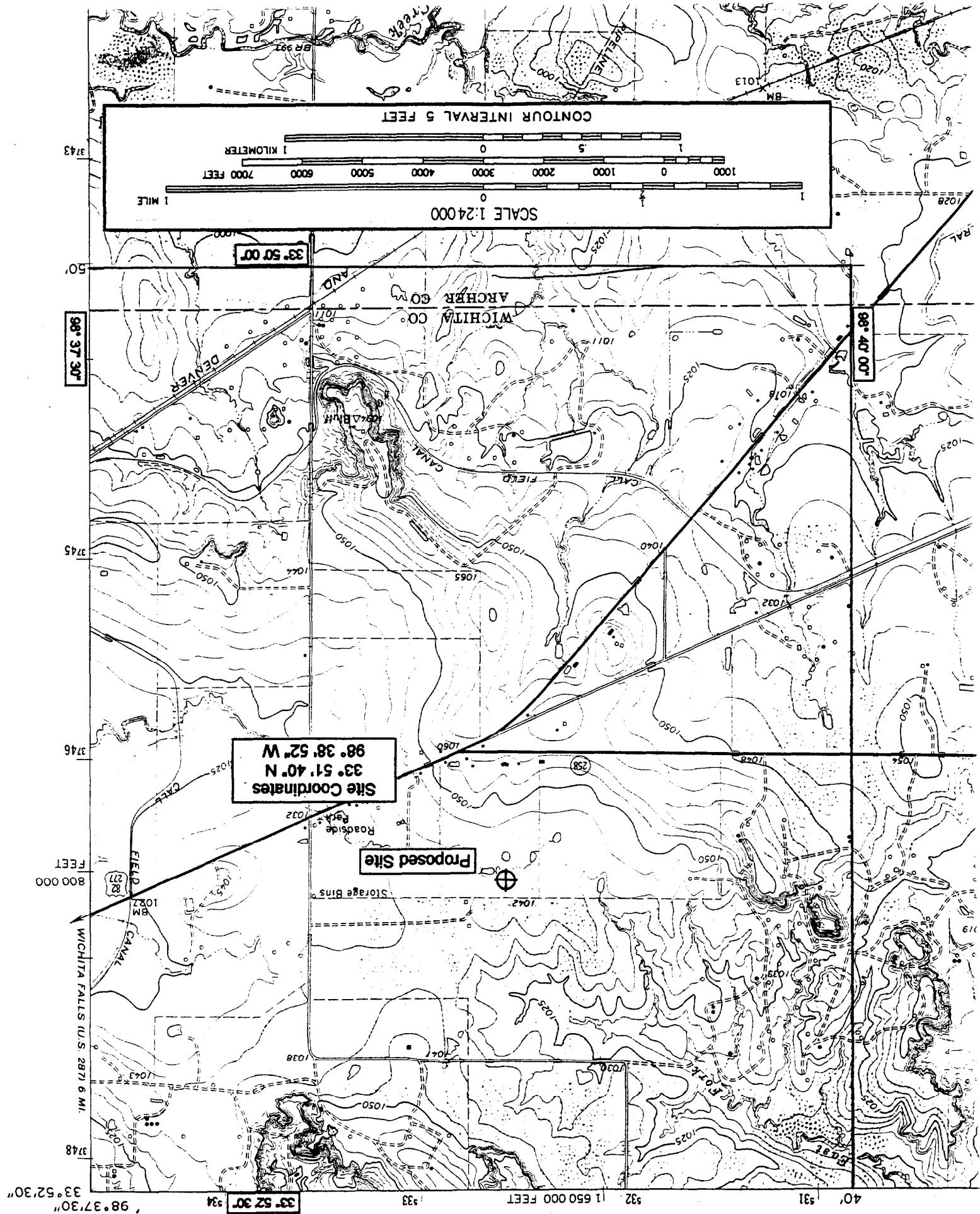
*Exhibit 5*

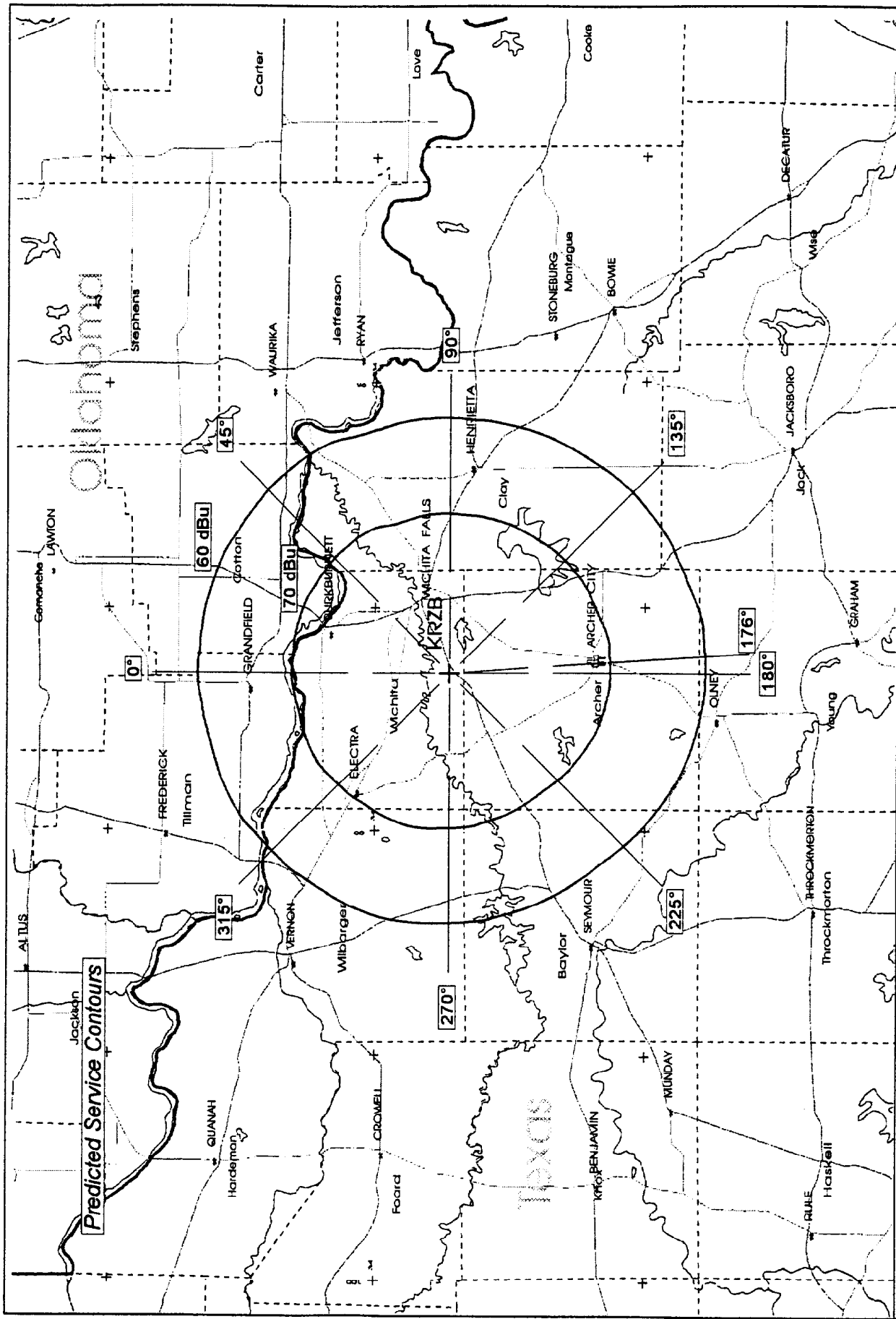
## ***Statement Concerning Interference***

The site chosen in association with this application is in a sparsely populated, rural area near Holliday, Texas. There are no known broadcast operations in the immediate vicinity of the proposed operation and, accordingly, it is not anticipated that any spurious emissions will be created as a result of the proposed operation. As a routine part of the required proof of performance, the output of the proposed operation's transmitter will be checked so as to assure that any spurious emission is attenuated to below permissible levels. As sparse as the population is in the immediate area the applicant is aware of the possibility of blanketing interference and is aware of its responsibility to remedy any such blanketing interference complaints at no cost to the complainant. Such remedial steps shall include, but not be limited to, the installation of such filters and or traps as necessary to eliminate the interference in accordance with 47 CFR 73.318 of the Rules.

6025 MARTWAY  
SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287









# WHEELER BROADCAST CONSULTING

Exhibit 8

## ***Analysis of Non Ionizing RF Radiation***

In accordance with the order of Docket 79-144, as adopted January 1, 1986, the following analysis of human exposure to non ionizing RF radiation has been performed. All calculations were made using the worst case formulas prescribed by OST Bulletin Number 65 and are based on a point 2 meters above the tower base.

### **I. Facilities**

KRZB  
97.5 MHz  
50.0 kW H & V  
137.6 m AGL

*No other facilities are proposed nor are considered.*

### **II. Calculations**

Proposed KRZB FM

$$s = \frac{(0.64)(EIRP)}{\pi R^2}$$

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SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287

$$s = \frac{(0.64)(1.64)(50,000+50,000)W(1000) \text{ mW/W}}{\pi ((135.6 \text{ m})(100\text{cm/m}))^2}$$

$$s = 0.1817 \text{ mW/cm}^2$$

$$\text{ANSI Max (C95.1-1992)} = 0.2 \text{ mW/cm}^2$$

$$\text{Percentage of ANSI Max} = 90.85\%$$

### **III Conclusion**

As the above calculations indicate, the worst case power density at the tower base falls below ANSI maximums. This effectively precludes inadvertent passive overexposure by members of the public. Further precautions will be put in place as well. The site will be posted with signs warning of hazards due to High Voltage and RF Radiation so as to discourage trespassers from putting themselves at risk. Additionally plans will be developed, based on the downward radiation characteristics of the FM broadcast antenna, so as to establish minimum safe distances at various power levels so as to protect agents and employees of the licensee from occupational overexposure. Tower maintenance will be performed only after sufficient power reductions are made so as to protect workers or work will be scheduled at night when a complete cessation of the operation can be accomplished.

WHEELER BROADCAST CONSULTING  
6025 Martway - Suite 112 - Mission KS 66202

Texas Grace Communications  
Archer City, TX

REFERENCE		DISPLAY DATES
33 51 40 N	CLASS C2	DATA 06-08-99
98 38 52 W	Current rules spacings	SEARCH 06-09-99
----- CHANNEL 248 - 97.5 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
--------------	------------	-------------	--------------	-------------	--------------	--------------	----------------

KRZB.A	248C2	Archer City	TX	115.0	11.68	190.0	-178.32 *
AP ZCN	33 49 00	98 32 00	42.000 kW	112M	7.3	118.1	
Texas Grace Communications					BMPH990217IB		
>From Olney, TX per D97-225							

ALOPEN	248C2	Archer City	TX	176.0	29.77	190.0	-160.23 *
AL N	33 35 36	98 37 31	0.000 kW	0M	18.5	118.1	
97-225							
>Effective 11-17-98-Reserved for KRZB, per D97-225							

KRZB.C	248C2	Olney	TX	188.6	55.21	190.0	-134.79 *
CP CN	33 22 08	98 44 11	50.000 kW	88M	34.3	118.1	
Texas Grace Communications					BPH960201MB 981126		
>*To Archer City, TX per D97-225							

AD249	249C2	Tipton	OK	320.1	104.69	130.0	-25.31 *
AD	34 34 53	99 22 55	0.000 kW	0M	65.1	80.8	
Good Government Radio					RM9423 981120		
>site 23.8 km west							

ALOPEN	249C3	Healdton	OK	65.5	117.05	117.0	0.05 <
AL N	34 17 28	97 29 23	0.000 kW	0M	72.8	72.7	
98-75							
>Site Restriction 6.6km North							
>Effective 4-26-1999, reserved for KGOK-FM, per D 98-75							

KJMZ	251C1	Lawton	OK	18.4	85.39	79.0	6.39
LI HN	34 35 27	98 21 10	100.000 kW	61M	53.1	49.1	
Sovereign Broadcasting, Inc.					BLH4928		
>Horizontally polarized only							

AD246	246A	Duncan	OK	70.2	66.66	55.0	11.66
AD	34 03 43	97 58 05	0.000 kW	0M	41.4	34.2	
WBAP/KSCS and Blue Bonnet Rad					RM9548 981221		
>Propose change from CH 272A, no site change							
>Counterproposal.							

KLAK	248C2	Durant	OK	94.7	205.05	190.0	15.05
LI CN	33 41 31	96 26 36	27.000 kW	205M	127.4	118.1	
Lake Broadcasting, Inc.					BLH980508KE		

WHEELER BROADCAST CONSULTING  
6025 Martway - Suite 112 - Mission KS 66202

CLASS C2

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KWEYFM LI CN	247C1 35 33 02	Weatherford 98 43 59	OK 69.000 kW	357.6 122M	187.58 116.6	158.0 98.2	29.58
Wright Broadcasting Systems,					BLH7488		
DE249 DE	249A 34 52 27	Mangum 99 30 04	OK 0.000 kW	325.4 0M	137.07 85.2	106.0 65.9	31.07
Good Government Radio					RM9423 981120		
KHIM LI CN	249A 34 52 27	Mangum 99 30 04	OK 1.500 kW	325.4 50M	137.07 85.2	106.0 65.9	31.07
Altus Educational Broadcastin					BLED980720KD		
>Commercial Channel Operating Educational							
DE246 DE	246A 34 26 12	Comanche 97 55 07	OK 0.000 kW	46.2 0M	92.73 57.6	55.0 34.2	37.73
WBAP/KSCS and Blue Bonnet Rad					RM9548 981221		
>Propose change to Ch 287A at nwe site							
>Counterproposal.							
KDDQ.C CP ZCN	246A 34 26 12	Comanche 97 54 47	OK 3.000 kW	46.4 92M	93.10 57.9	55.0 34.2	38.10
Harold E. Cochran					BPH970709IB 990617		
>From Channel 244A per D96-10-Petition for Recon D96-10 filed 2-18-9							
>Dismissed MO&O D96-10, 970815-AMENDED 971114							
KGOKFM LI CN	249C3 34 42 14	Pauls Valley 97 15 46	OK 16.000 kW	53.2 125M	158.12 98.3	117.0 72.7	41.12
Wright and Wright, Inc.					BLH960502KC		
>From Channel 249A per D93-247							
>To channel 249C3, Healdton, OK per D98-75							

JUN 24 1999

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. 99-23
Table of Allotments	)	
FM Broadcast Stations	)	RM - 9423
(Tipton, Oklahoma)	)	
To: Chief, Allocations Branch		
Policy and Rules Division		
Mass Media Bureau		

**MOTION FOR ACCEPTANCE BY FCC OF**  
**"AMENDMENT TO PENDING**  
**KRZB FACILITY FORM 301 APPLICATION**  
**AND**  
**CORRECTIVE AMENDMENT**  
**TO ESSENTIAL SUPPLEMENTAL COMMENTS**  
**OF TEXAS GRACE COMMUNICATIONS"**

Pursuant to Section 1.415 of the Commission's Rules, Texas Grace Communications ("Texas Grace") hereby respectfully submits the following *Motion For Acceptance By FCC Of "Amendment To Pending KRZB Facility Form 301 Application And Corrective Amendment To Essential Supplemental Comments Of Texas Grace Communications"*, as filed on this same date. In support thereof, Texas Grace states as follows:

- KRZB'S FORM 301 APPLICATION IS ALREADY A COUNTERPROPOSAL TO PROCEEDING, AND GOOD CAUSE EXISTS TO MAKE AMENDMENT.**

Texas Grace and its Engineer have previously informed the Commission of the recent discovery of apparent mis-registration of tower coordinates by the structure's owner at the KRZB/Archer City facility application site (specified within BMPH-990217 IB). This has created good cause to Amend the original 301 Application, specifying new community of license

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and facilities site. Since KRZB's 301 Application is a counterproposal within the Tipton proceeding, the Amended 301 filing (in the accompanying pleading) is similarly pertinent and relevant to this proceeding, and therefore of vital decisional significance.

2. **CORRECTIVE AMENDMENT WILL FURTHER ASSIST COMMISSION BY PROMOTING ACCURACY OF INFORMATION.**

Inadvertent reference by Texas Grace within its *Essential Supplemental Comments* (dated May 24, 1999, with FCC file-stamp receipt date of May 26, 1999) to the proposed channel number at Tipton needs to be corrected in a particular Section of the referenced pleading. Texas Grace has already demonstrated that its *Essential Supplemental Comments* are of vital decisional significance. The necessary correction accomplished by the accompanying Corrective Amendment serves to promote and maintain accuracy within this proceeding, making its acceptance in the best interest of the public, and further assisting the Commission in its judicious examination of the matter at hand.

Respectfully Submitted,  
Texas Grace Communications

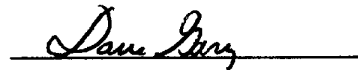
By:   
Dave Garey, Proprietor  
June 21, 1999



## **CERTIFICATION**

I, Dave Garey, proprietor of Texas Grace Communications, and permittee of KRZB (FM) licensed to Archer City, Texas, do hereby verify that the statements contained in the instant document are true and correct to the best of my knowledge and belief. John Trent remains legal counsel of record for Texas Grace Communications within this proceeding, and it is therefore respectfully requested that he be simultaneously served by the Commission or other interested parties with all relevant procedural documents. However, the filing herein is made directly by Texas Grace's proprietor.

Respectfully Submitted By:  
Texas Grace Communications

A handwritten signature in cursive script, appearing to read "Dave Garey", is written over a horizontal line.

Dave Garey, Proprietor

June 21, 1999

Dave Garey  
Texas Grace Communications  
20 Samlaw Drive  
Monsey, NY 10952

cc:

John Trent  
Putbrese, Hunsaker & Trent  
100 Carpenter Drive, Suite 100  
Sterling, VA 20167

(703) 437-8400

## **CERTIFICATE OF SERVICE**

I, Dave Garey, do hereby certify that I have, on June 21, 1999, sent by First Class U.S. Mail, postage prepaid, the forgoing *Motion For Acceptance By FCC Of "Amendment To Pending KRZB Facility Form 301 Application And Corrective Amendment To Essential Supplemental Comments Of Texas Grace Communications"* to the following:

Ms. Leslie K. Shapiro  
Allocations Branch  
Federal Communications Commission  
445 12th St., SW  
Room 3-A 360  
Washington, DC 20554

WBAP/KSCS Operating, Ltd. and Blue Bonnet Radio, Inc./Mark N. Lipp  
Shook, Hardy & Bacon, LLP  
600 14th Street, NW, Suite 800  
Washington, DC 20005

Paul Reynolds  
415 North College Street  
Greenville, AL 36037

Ellinor Nelson  
Good Government Radio  
P.O. Box 478  
Gonzalez, FL 32560

John Trent, Esq.  
Putbrese Hunsaker & Trent  
100 Carpenter Drive, Suite 100  
Sterling, VA 20167

  
\_\_\_\_\_  
Dave Garey